THE G.A.R. AND CIVIL SERVICE

BY
PAUL JOSEPH WOODS
A. B., University of Illinois, 1938
A. M., University of Illinois, 1940

AN ABSTRACT OF A THESIS

SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR THE DEGREE OF DOCTOR OF PHILOSOPHY IN HISTORY
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To the author's generation the familiar picture of the Grand Army of the Republic is that of a group of white-moustached men in faded uniforms parading with halting step on Memorial Day. These veterans themselves, however, proud of having saved the nation from dismemberment, were not always content with this passive role. For more than fifty years the G.A.R. was quite active in its function as the main fraternal organization of the former members of the Union army. As such, it served as the rallying point for veteran sentiment and as the medium for the collective demands and desires of ex-soldiers.

In exercising this guardianship over veteran rights and interests, the Grand Army naturally expended considerable effort and time in lobbying for or against legislation which affected Civil War veterans. So effective was this application of G.A.R. pressure that one official of the order was quite justified in claiming in 1914, a date fairly well advanced in Grand Army history, that every item of legislation enacted in favor of the veteran after the Civil War was placed on the statute books "through the influence, directly or indirectly, of the Grand Army of the Republic." (1) The basis for this boast was the consistent success of the G.A.R. in winning pension grants from Congress, a story already treated in several different monographs. (2) What the boasts could not cover was the total failure of the Grand Army lobbyists to win preference for themselves and their comrades in appointment, promotion, and retention in the civil service of the United States. The battle for this concession was carried on persistently for several decades, and it is the purpose of the author to reveal the previously untold account of this fruitless fight.

The prolonged battle which the G.A.R. waged in vain was fought along two parallel lines. On the one hand, these ex-sol-

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(1) G.A.R. Department of the Potomac **Journal, 1914**, p. 16.

(2) W.H. Glasson, **Federal Military Pensions in the United States**; J.W. Oliver, **History of the Civil War Military Pensions**; and D.L. McMurray, "The Political Significance of the Pension Question, 1885-1897," **Mississippi Valley Historical Review**, IX, 20-36 (1923).

diers were attempting to move Congress to give them a legislative guarantee of their right to preference over non-veterans in the civil service. On the other hand, they conducted a collateral campaign to win actual government appointments for veterans and to block the removal from office of ex-soldier job-holders. Both phases of the fight were carried on by the same seemingly tireless Grand Army lobbyists.

The ex-soldiers were given a start along the road to their objective by the action of the Thirty-Eighth Congress, which, in March, 1865, several weeks before Appomattox, extended to all soldiers disabled in army service a preference in appointment in the civil service. A companion congressional enactment asked civilian employers to give to all veterans, disabled and otherwise, this same preference. Absent from both measures was any penalty for non-adherence, and the preference to disabled veterans was to be given only "provided they shall be found to possess the business capacity necessary for the proper discharge of the duties of such offices." (3) To appointing officials of the government was left the power to determine whether or not ex-soldier applicants had "the business capacity necessary." Thus, at the conclusion of the war the returning soldiers of the Union army found themselves with only a modicum more than absolutely no preference in the civil service of the nation.

For the first fifteen years after the war a comparatively mild and spasmodic campaign was carried on to win additional concessions in the civil service for all ex-soldiers. Civil War veterans were treated fairly well under successive Republican administrations, partly because such a policy fitted well into the general Republican program of "waving the bloody shirt." For some time a man's war record actually became a criterion of his eligibility for appointment or election to office, and the ex-soldiers profited accordingly. This situation was not universal, however, and rumblings of veteran discontent were occasionally heard in Washington and elsewhere. That these scattered manifestations of displeasure failed to assume the proportions of a serious campaign for veteran preference was due primarily to the feebleness of any agency which might have sought to promote such a campaign.

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(3) Sections 1754, 1755, **U.S. Revised Statutes.**

Several veteran organizations made an appearance in the first few years after the war, but the one which soon grew to have the widest appeal was the Grand Army of the Republic. In its first annual encampment at Indianapolis in 1866, the G.A.R. went on record as favoring a legislative guarantee of preference to all veterans in the civil service. Similar resolutions were repeated in the following years, and some Grand Army petitions for this concession were even forwarded to Washington. With these feeble gestures Grand Army efforts stopped, principally because the order was in the midst of rather barren years and needed several transfusions of new blood before it had the necessary strength to be an effective champion of ex-soldier demands.

Before the G.A.R. was given its injection of life, however, Congress in 1876 gave the veterans a second empty concession. This time, a rider to an annual appropriation bill promised them preference in retention in "any general reduction" of the forces of the government departments in Washington. (4) To win this preference, however, the veterans had to be "equally qualified" with their non-veteran fellow employees. Once again no penalty was prescribed for the failure of government officials to practice this preference, and the law itself was open to ambiguous interpretation in the definition of a "general reduction." Veterans were prone to claim that the dismissal of any ex-soldier occurred during a "general reduction," while contrary-minded government officials rarely recognized that any such thing as a "general reduction" took place in their departments. Regardless of the varied meanings which could be given to this act, G.A.R. campaigners coupled it with the 1865 concession to disabled veterans in a virtual "bill of rights" of veteran preference. In later years, when unceasing efforts failed to yield further legislative concessions, Grand Army men fell back upon these two laws as a basis for castigating government officials for their disdain of veteran preference.

After 1880, the G.A.R. became deadly in earnest in its battle for veteran preference. Confidence to press ex-soldier demands had been given by a tremendous growth in the membership of the order, a membership which had almost disintegrated for several years. Incentive for the inception of vigorous action was provided by the passage of the Pendleton civil service act and

(4) Chapter 287, section 3, 19 **U.S. Statutes at Large**, 169.

by the election of a Democrat to the presidency for the first time since the war, a phenomenon which made the soldier job-holders feel slightly less secure of their positions. A temporary agency for action was available in the Veterans' Rights Union, an organization which politically astute Grand Army members founded in 1882. The professed objectives of these men were to secure the guarantee of the "right" of all ex-soldiers to retention in public office and the related "right" of all veterans to preference in appointment in the civil service. Possessed, then, of the confidence, the incentive, and the agency, the Grand Army of the Republic was ready to depart from its former timidly passive role and to step forth as the champion of the cause of the ex-soldiers.

The national G.A.R. organization remained momentarily aloof from any display of partisan activity for veteran preference, because it preferred to maintain a veneer of impartiality until it had completed a titanic drive for new members. The reticence of the parent organization was more than offset, however, by the trail of propaganda blazed by the Veterans' Rights Union and the **National Tribune**, the semi-official Grand Army newspaper owned by George E. Lemon, Washington pension attorney. By dint of yeoman work on the part of these two agencies, the way was open in a few years for the G.A.R. to take over the campaign and to continue for upwards of twenty years a relentless pressure upon Congress to give further concessions to Civil War veterans in the civil service of the nation.

The bulk of the lobbying work of the Grand Army in this long fight for veteran preference was performed by a committee representing the national G.A.R. organization. The members of this committee were appointed annually by the commanders-in-chief of the order, but the membership varied only infrequently. The chairman usually turned out to be Joseph W. Kay, a Brooklyn veteran and, strangely enough, a Democrat. To Kay, who was independently wealthy from manufacturing and publishing ventures, the campaign was obviously a "cause" and not a selfish battle for appointments to public office. In a large measure it was his personal enthusiasm which kept alive G.A.R. interest in veteran preference throughout the years of the long campaign. He had been instrumental in forcing the New York legislature to yield to ex-soldiers bountiful grants of preference in the civil service of that state, and he had actually drafted a goodly portion of the veteran preference bills which became laws in New

York. Kay was omitted from the national Grand Army lobbying committee for veteran preference for only one year, when a predominately Washingtonian membership was allowed to try its hand. Even during that short interval, Kay operated in Washington as a lone wolf lobbyist for his program. When he finally resigned from the committee in despair of success in 1903, he signalled the final admission of defeat by the G.A.R. in the battle for veteran preference.

Kay and his colleagues in the Grand Army lobbying forces made visits alone and in delegations to Presidents, to cabinet members, and to members of both houses of Congress in search of pledges of aid for their program. They drafted their own bills, commissioned their favorite senators and congressmen to introduce them, and then watched over them with untiring vigilance. They appeared in formal hearings of House and Senate committees to urge favorable consideration for their measures and used every other "honorable means" to obtain a friendly comittee report. Once such a report was won, the Kay group, aided and abetted by handy and willing aides from among the ranks of the local Washington G.A.R., "button-holed" legislators in the Capitol to extract promises of support. The **National Tribune** contributed its help with glowing forecasts or vitrolic denunciations of obdurate congressmen, whichever line of attack seemed the more appropriate at the moment. National and state G.A.R. encampments co-operated with pertinent resolutions and petitions to Congress, and all Grand Army members were urged to write or to visit their congressmen and senators in the interests of vetern preference. In 1900, a check was made on this help from the hinterlands by having all G.A.R. posts which petitioned Congress for veteran preference send a copy of the petition to the office of the adjutant-general of the order; a later count showed that 1287 posts co-operated in this barrage upon Congress.

All of this activity, plus countless threats of Grand Army retaliation at the polls, failed to prod Congress to yield to veteran demands. The seemingly indefatigable lobbyists of the order, however, continued to be encouraged by periodical promises of Washington officials that veteran preference could be certain of passage at the next session of Congress. Upon these empty promises and upon their own presumptuous hopes, G.A.R. campaigners kept their fight alive through 1903. When Kay surrendered to the inevitability of defeat and resigned from active duty

in that year, the heart went out of the Grand Army battle for veteran preference. A new committee, which had been appointed to carry on the fight, reported the usual congressional promise that the program was certain of success in the next Congress; but these substitute lobbyists belied their own expression of confidence by diverting their efforts to working exclusively for a pension measure at the following session of Congress. From that time onward, G.A.R. attention to veteran preference consisted of a fairly successful attempt to block any measures which might have retired superannuated ex-soldier employees from governmental service. Grand Army men claimed the credit for the defeat of at least three such measures in the next few years.

In the course of the more than twenty years of active campaigning by the G.A.R. for veteran preference in the civil service, sixty bills were introduced into the House of Representatives seeking to extend this concession in varying degrees. Of the sixty, only one passed the House, a bill approved by the lower chamber in the predominantly Republican Fifty-Fourth Congress. In the Senate, Republican majorities carried similar bills in the Fifty-First, Fifty-Second, Fifty-Fifth, and Fifty-Sixth Congresses, four veteran victories out of twenty-seven such bills introduced in successive Senates. No veteran preference bill, of course, passed both houses of Congress.

The parrallel fight against removals of ex-soldiers from government positions was comparatively successful, partly for political reasons. Neither the Republicans nor the Democrats wished to assume the responsibility for arousing G.A.R. ire by turning the "heroes of the nation" into the street. A constant pressure from the Grand Army was also responsible for considerable success in the placement of ex-soldiers in government service. Washington veterans were especially active in interceding with government officials for the hiring of their comrades in arms and in preventing the dismissal of ex-soldiers from the civil service. Success for the veterans in this quarter was constant until the full effects of the Pendleton civil service act began to be felt. This law had preserved for ex-soldiers all the guarantees of preference in the civil service which they already possessed, which were little better than no guarantee at all. As more and more government positions were gradually extended to the classified civil service, chances for placing ex-soldiers therein grew less and less. Those ex-soldiers who were willing

to undergo civil service examinations were handicapped not only by their excessive age, but also by less of the required technical knowledge than their younger competitors.

The failure of the larger G.A.R. campaign for legislative recognition of veteran preference in the civil service might be ascribed to one of several reasons, or to a combination of all of them. In the first place, success was doubtful from the first, because of the lack of unanimity behind the G.A.R. fight. Veteran preference was not only made secondary to the more popular pension plans of the Grand Army, but the opposition in Congress to the idea of preference for ex-soldiers in the public service was more often than not led by G.A.R. congressmen and senators. Charges of "treason" hurled against these men by their comrades were not enough to convince non-veteran congressmen that veteran preference had the unqualified support of the Grand Army of the Republic. Another factor in the defeat of the program was the continuous and surprisingly strong opposition of the civil service commission and of civil service reformers, whom the ex-soldiers contemptuously dubbed "a lot of political Pharisees, ravenous for notoriety." (5) From the inception of their vigorous veteran preference campaign, G.A.R. members grouped these proponents of the merit system in the civil service as the unrelenting foes to "justice" for ex-sodiers. A third source of opposition possibly came from politicians, who were wary of complicating their already tangled patronage problems with added difficulties inherent in the possible practice of veteran preference.

The combination of all of these factors, however, might not have been sufficient to stop a strong move for veteran preference had the G.A.R. inaugurated its campaign immediately after the war. The veterans would have had a much better chance for success had they pressed their demands while the memory of their wartime exploits was fresh in the mind of the nation. They were heroes in their own minds long after the public had ceased to identify them as such. Unfortunately for the success of their efforts, the G.A.R. was too impotent an organization in its first years of existence to rally organized support behind an early move for veteran preference. When the order had grown to appropriate size and strength, the centers of opposition had also

(5) **National Tribune**, September 17, 1885.

grown to a size sufficient to block the campaign of the ex-soldiers. World War veterans profited from the mistakes of the survivors of the Civil War and won absolute veteran preference in the civil service within a year of the 1918 Armistice. (6) Subsequent legislation has even strengthened their preference hold, to the obvious detriment of the success of the merit system of public employment.

BIBLIOGRAPHICAL NOTE

The author found the following manuscript collections in the Library of Congress of pertinent value: The Butler MSS., the Cleveland MSS., the McKinley MSS., the Trumbull MSS., and the Washburne MSS. Had they not been temporarily closed to investigators, the Harrison MSS., and the Logan MSS. would also have proven of value. Because of a disconcerting habit of commanders of the Grand Army of the Republic, relatively few Grand Army records are available for scholars. G.A.R. officers destroyed the bulk of their correspondence and records annually, when they moved the national headquarters of the order from one city to another. There remain, however, fruitful sources of material in the yearly journals of the national and state G.A.R. organizations. From these the author culled considerable valuable data. Another helpful source was located in the files of the **National Tribune**, virtually the semi-official organ of the G.A.R., which was owned by George E. Lemon, Washington pension attorney.

Among printed government documents, the annual reports of the civil service commission, **House Reports, Senate Reports,** the **Congressional Globe,** the **Congressional Record,** and miscellaneous documents of both houses of Congress were all exceedingly helpful. A surprising amount of informatve material was found in the propaganda issued in the periodical campaign textbooks of the two major political parties.

In rounding out his information preparatory to the composition of his monograph, the author had recourse also to various general accounts, diaries, memoirs, and articles pertinent to his study.

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(6) 40 **U.S. Statutes at Large,** 1293.

VITA

Paul Joseph Woods was born in Champaign, Illinois, on November 11, 1916. He attended the parochial and public schools of Champaign, graduating in 1934 from Champaign High School. As an undergraduate he attended the University of Illinois, where in June, 1938, he received an A.B. degree, **cum laude** in history. His master's thesis was a study of the British Passenger Laws, 1803-1870, a series of laws seeking to control the conditions aboard emigrant ships. He is a member of Phi Kappa Phi. During the winter of 1938-1939 he spent several weeks in Washington in research for data for his master's thesis. Again in the winter of 1940-1941 he spent several weeks in Washington, this time collecting material for his doctoral dissertation.